

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
UNITED STATES OF AMERICA :  
 :  
 : 20-cr-188 (JSR)  
 :  
 -v- :  
 : ORDER  
 :  
 HAMID AKHAVAN & RUBEN WEIGAND, :  
 :  
 :  
 Defendants. :  
 :  
 -----X

JED S. RAKOFF, U.S.D.J.

U.S.S.G. § 2B1.1 Application Note 3(B) provides: "The court shall use the gain that resulted from the offense as an alternative measure of loss only if there is a loss but it reasonably cannot be determined." The parties are directed to address in their papers due tonight whether the Court should apply this application note and, if so, how much each defendant gained from the offense.

Dated: New York, NY  
June 15, 2021

  
JED S. RAKOFF, U.S.D.J.